

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

QATAR INVESTMENT & PROJECTS
DEVELOPMENT HOLDING COMPANY W.L.L.
and HIS HIGHNESS SHEIKH HAMAD BIN
ABDULLAH BIN KHALIFA AL-THANI,

OPINION & ORDER

Plaintiffs,

v.

17-cv-553-jdp

JOHN DOE,

Defendant.

Plaintiffs Qatar Investment & Projects Development Holding Company W.L.L. (QIPCO) and its chief executive officer, His Highness Sheikh Hamad bin Abdullah bin Khalifa al-Thani, filed this defamation lawsuit against the unknown owners and operators of “The Muslim Issue” blog concerning a two-year-old blog post falsely accusing al-Thani of sexually abusing underage girls in the Czech Republic. The post discussed criminal charges against Hamad bin Abdallah bin *Thani* al-Thani, but posted a picture of Hamad bin Abdallah bin *Khalifa* al-Thani.

The court granted plaintiffs two rounds of early discovery to identify and serve the defendant author of the offending post, who writes anonymously. Dkt. 6; Dkt. 8; Dkt. 17. The court also granted plaintiffs’ motion for a temporary restraining order requiring Automattic, Inc., the host of The Muslim Issue, to delete all references to Khalifa al-Thani and QIPCO from The Muslim Issue’s blog posts about Thani al-Thani. Dkt. 17. The TRO expired on September 20, 2017. It denied plaintiffs’ motion for leave to serve defendant by email or direct messaging without prejudice.

On September 29, plaintiffs renewed their motion for leave to serve defendant by email and moved to extend the TRO and broaden its scope. Dkt. 19. Due to its time-sensitive nature, the court will address the TRO immediately. It will address plaintiffs' motion for leave to serve defendant by email at a later date. (If necessary, plaintiffs may move the court to extend the time for service under Federal Rule of Civil Procedure 4(m).) In the meantime, plaintiffs are encouraged to continue their attempts to identify and serve defendant.

Plaintiffs ask the court to extend the initial TRO "until [they can] identify and personally serve" defendant or until defendant "answers or moves to dismiss the complaint." Dkt. 19, at 13. Plaintiffs also ask the court to modify the TRO to require Automattic and other platforms to remove any text or photos—regardless of who posted them—that insinuate that Khalifa al-Thani or QIPCO are connected to the charges against Thani al-Thani. They adduce evidence that an excerpt of the original post, which includes a picture of Khalifa al-Thani, is posted on another blog hosted by Automattic and that excerpts of a follow-up post about this lawsuit are posted on Tumblr, Twitter, and a third blog hosted by Automattic. *See* Dkt. 22-1; Dkt. 22-2; Dkt. 22-4; Dkt. 22-5; Dkt. 22-6. Automattic disabled the content of the follow-up post on The Muslim Issue, but refuses to do the same with the repostings on other blogs without a specific court order; plaintiffs' efforts to remove the postings from Tumblr and Twitter have also been unsuccessful.

Plaintiffs have demonstrated that defendant posted demonstrably false facts on The Muslim Issue blog, damaging plaintiffs' reputation. Each day these false facts linking Khalifa al-Thani to sexual abuse of underage girls remain publicly available on the internet, plaintiffs' reputations are damaged. So the court will extend and modify the TRO, although not to the extent that plaintiffs request. The court is limited by Rule 65(b)(2) to a 14-day extension. *See*

H-D Mich., LLC v. Hellenic Duty Free Shops S.A., 694 F.3d 827, 842 (7th Cir. 2012). Once properly served with a copy of this order, Automattic, Twitter, and Tumblr must remove any text or photos that insinuate that Khalifa al-Thani or QIPCO are connected to the charges against Thani al-Thani for the duration of the TRO. Should plaintiffs identify defamatory content on any other platform, they may move to modify the TRO to apply to that platform.

TEMPORARY RESTRAINING ORDER

IT IS ORDERED that:

1. Plaintiffs Qatar Investment & Projects Development Holding Company W.L.L. (QIPCO) and His Highness Sheikh Hamad bin Abdullah bin Khalifa al-Thani's motion for a temporary restraining order, Dkt. 19, is GRANTED in part. The court reserves ruling on plaintiffs' motion for leave to serve defendant by email.
2. Plaintiff must immediately serve Automattic, Inc., Twitter, and Tumblr with a copy of this order.
3. Automattic, Inc., Twitter, and Tumblr must remove any text or photos that insinuate that Khalifa al-Thani or QIPCO are connected to the charges against Hamad bin Abdullah bin Thani al-Thani.
4. This temporary restraining order will expire on October 17, 2017, unless otherwise ordered by the court.

Entered October 3, 2017.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge